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William D. Rash - Fire Chief

Board of Trustees: William Cummins, Doug Dun



BUSINESS & LABOR

EXHIBIT NO. 6  
DATE 2-12-09  
BILL NO. 373

February 10, 2009

Letter of Support for Senate Bill 373

Mr. Chairman and members of the committee. My name is William Rash and I am the fire chief of the Lockwood Rural Fire District, Billings, Montana. I have asked **Chief Waters to present this letter, on my behalf, and in support of SB 373.**

I currently have 14 career firefighters on staff with all but one that have transitioned into the FURS program. The one exception chose to remain with the PERS program.

I also testified during the last legislative session in support of SB 532 whereas we, as rural fire districts, were seeking inclusion into the Firefighter's Unified Retirement System (FURS). The passage of that bill allowed my fire district to begin participating in the FURS program. Although representatives from the MPERD were helpful, there was significant confusion and what appeared to be conjecture on the transition of fire districts from PERS to FURS.

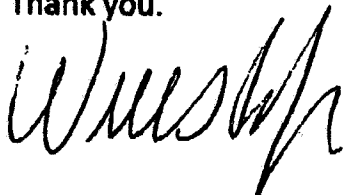
The purpose of SB 532 was to make a more equitable retirement system that would include rural fire districts in addition to municipalities and to allow for the recruitment and retention of high quality staff for rural fire districts.

Several months ago, I became aware that several rural fire districts were faced with an MPERD decision that interpreted and exercised the age restriction of rural fire district firefighter membership into the FURS system. It is my opinion that a precedent has been set to include and allow any and all rural district firefighters to participate in the FURS program regardless of the discriminatory age restriction. I base my opinion upon the following experience that I have had with the FURS program:

As the fire chief of the Lewistown City Fire Department for three years, I hired one career and numerous part-paid firefighters that were allowed to participate in the FURS program. These firefighters had worked as volunteer firefighters for volunteer fire departments as well as state and federal firefighting agencies such as the DNRC and BLM. On several occasions I contacted the staff at the MPERD in regard to the age issue and as related to hiring career and part-paid firefighters. The MPERD staff was always very polite and responsive. However, I was consistently informed that "if they had ever been a firefighter, career, volunteer, wildland, in-state, out of state or with any state or federal firefighting experience before the age of 34 years, that they were eligible to participate in the FURS program". Although I did request it, I regret to say that I was never able to get this "permission to participate" in writing. Therefore, I proceeded with the hiring process based upon the verbal criteria presented to me by the MPERD.

I absolutely concur with Chief Waters in that the age restriction represents "age discrimination" and would therefore strongly support the passage of SB 373 to correct this issue and allow the dedicated firefighters that have not been allowed to participate in the FURS program to have the option to participate in the FURS program.

Thank you.

A handwritten signature in black ink, appearing to read 'William Rash', written in a cursive style.

William Rash, Fire Chief  
Lockwood Rural Fire District